

Message Text

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ORIGIN L-03

INFO OCT-01 EUR-25 ISO-00 SCA-01 JUSE-00 RSC-01 /031 R

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APPROVED BY: L/M/SCA- K.E. MALMBORG

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P 081427Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY LONDON PRIORITY

AMEMBASSY THE HAGUE

LIMITED OFFICIAL USE STATE 070325

E.O. 11652: N/A

TAGS: CORS, PFOR, UK

SUBJECT: EXTRADITION (MERVYN HAROLD CROSS)

REF: LONDON 4302; THE HAGUE 1745

1. DEPARTMENT REGRETS DELAY ON RESPONSE TO REFTELS BUT
FLORIDA ATTORNEY HAS NOT BEEN AVAILABLE FOR CLARIFICATION.

2. IN THE ABSENCE OF EXTREMELY COMPELLING CIRCUMSTANCES,
DEPARTMENT DOES NOT REPEAT NOT BELIEVE THAT LIVE WITNESSES
SHOULD BE PRESENTED IN AN EXTRADITION PROCEEDING SINCE THIS
WOULD ESTABLISH PRECEDENT. USG HAS BEEN TRYING TO HOLD LINE
AGAINST REQUIRING MORE AND MORE EVIDENCE AT SUCH PROCEEDINGS.

3. FLORIDA HAS BEEN SO ADVISED AND BELIEVES EVIDENCE CAN BE
OBTAINED BY DEPOSITION. FLORIDA (AND DEPARTMENT) UNCLEAR
EXACTLY WHY DEPOSITION WOULD NOT SUFFICE. EMBASSY REQUESTED
TO MAKE ALL EFFORTS TO HELP GRAUPNER OBTAIN DEPOSITION. IF
PROBLEM PERSISTS, DEPARTMENT WILL RECONSIDER ABOVE DECISION.
HOWEVER, GRAUPNER SHOULD BE ADVISED OF USG STRONG OPPOSITION
TO PRESENTATION OF LIVE WITNESSES.

4. FLORIDA ADVISES PROBABLY ONLY ONE NETHERLANDS OFFICIAL
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WILL NEED TO TESTIFY IN FLORIDA (PROBABLY BOSMA OR VAN AANHOLD).

FLORIDA WILL COVER EXPENSES.

5. FOR LONDON: FLORIDA ADVISES THAT SECOND REQUISITION AND
ADDITIONAL DOCUMENTATION WILL REACH DEPARTMENT BY APRIL 15 OR
16. RUSH

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